

Docket No.: DA-052-US-01

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Fouad Mehawej et al. Art Unit: 1771
Serial No.: 10/050,375 Examiner: Salvatore
Filed: January 15, 2002
Title: SUPERABSORBENT THERMOPLASTIC COMPOSITION AND
ARTICLE INCLUDING SAME

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450
MAIL STOP AMENDMENT

DECLARATION OF FOUAD D. MEHAWEJ

I, Fouad D. Mehawej, declare as follows:

1. I have a Bachelor of Science degree in Chemistry from Grand Valley State University, Michigan, and a Master in Business Administration from the University of Phoenix. I have been employed by H.B. Fuller Company in various technical and managerial positions for 24 years.

2. I am familiar with EP 1013291A1 (Luizzi). I attempted to obtain the AQUAKEEP J55-P particles referred to in Luizzi from Sumitomo Seika Chemicals Co., Ltd. (Sumitomo). After speaking with a representative from Sumitomo, I learned that Sumitomo had never made AQUAKEEP J55-P particles but only AQUAKEEP J550-P particles. I determined that the reference to AQUAKEEP J55-P particles in Luizzi was a typographical error. I obtained a sample of the AQUAKEEP J550-P particles from Sumitomo.

3. I had my assistant photograph the AQUAKEEP J550-P particles and the AQUAKEEP 10SH-NF20 particles using an electron microscope at 140 X and 700 X magnification. The electron micrographs are attached at Tabs 1 and 2, respectively.

4. I had my assistant prepare the composition described as Sample B in Luizzi.

CERTIFICATE OF TRANSMISSION BY FACSIMILE

I hereby certify under 37 CFR §1.8(a) that this correspondence is being facsimile transmitted to the United States Patent and Trademark Office via facsimile number 703-872-9306 on the date indicated below.

February 26, 2004

Date of Deposit

Signature

Allison Johnson

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5. I also had my assistant prepare a composition that included the same components as listed in Sample B of Luizzi with the exception that I added 45 % by weight AQUA-KEEP 10SH-NF 20 spherical superabsorbent particles having a median particle diameter of from 20 μ m to 30 μ m in place of the AQUAKEEP J55-P superabsorbent particles. I refer to this composition as Composition X.

6. I had my assistant test the viscosity of Sample B and Composition X. The viscosity of Sample B was too great to be determined using a number 27 spindle. Accordingly, the viscosity was tested according to the test method set forth in the above-captioned application with the exception that a number 29 spindle was used and the viscosity was taken at temperatures of 250°F and 275°F, in addition to the 300°F specified in the test method. The viscosity results are set forth in the following table and depicted graphically in the document attached at Tab 3.

Temperature	Sample B (cps) Using Spindle 29	Composition X (cps) Using Spindle 29
250°F	1,660,000	292,000
275°F	473,000	119,000
300°F	150,000	66,000

7. The significant decrease in viscosity that results when spherical superabsorbent particles having a median particle diameter of from 20 μ m to 30 μ m are included in a thermoplastic composition is unexpected.

8. Superabsorbent particles thermally degrade at temperatures above 300°F. Therefore, it is desirable to maintain a thermoplastic composition that includes superabsorbent particles at a temperature of no greater than 250°F while the composition is in an application tank, although other components of the application system may be maintained at higher temperatures.

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I declare that all statements made herein of my own knowledge are true to and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application, any patent issuing thereon, or any patent on which this statement is directed.

Further I declare not.

Date: February 26, 2004


Fonad D. Mehawej
Global Program Manager